

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PATRICIA A McCOLM,

No. C 09-04132 SI

Plaintiff,

**ORDER GRANTING PLAINTIFF'S
REQUEST FOR TRANSCRIPTS AT
GOVERNMENT EXPENSE**

v.

FOREMOST INSURANCE CO.,

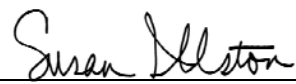
Defendant.

On March 28, 2012, plaintiff submitted a Transcript Designation and Ordering Form to the Court, ordering transcripts from two Case Management Conferences. Dkt. 245. On May 1, 2012, plaintiff submitted a letter to the Court requesting that the transcripts be provided "at government expense."

The statute governing transcript fees states that "fees for transcripts furnished in [non- Section 2255] proceedings to persons permitted to appeal in forma pauperis shall also be paid by the United States if the trial judge or a circuit judge certifies that the appeal is not frivolous (but presents a substantial question)." 28 U.S.C. § 753(f). On March 20, 2012, following the Ninth Circuit's referral on the question, this Court stated that "plaintiff's appeal is not taken in bad faith and at least one issue or claim is non-frivolous." Dkt. 244. Having so found, the Court GRANTS plaintiff's request for payment by the United States of the transcripts of the two Case Management Conferences listed in the ordering form.

IT IS SO ORDERED.

Dated: May 2, 2012


SUSAN ILLSTON
United States District Judge